

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IJW AF
RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

FERGUSON, Mark W.J.

Serial No. 10/082,221

Filed: February 26, 2002

Title: PHARMACEUTICAL COMPOSITION CONTAINING IL-10



Atty Dkt. 39-257

C# M#

TC/A.U.

1647

Examiner: Landsman, R.

Date: December 9, 2004

Corres. and Mail
BOX AF**Mail Stop AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0	x \$ 18.00
				\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0	x \$ 88.00
				\$ 0.00

If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper)		\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months)		\$ 0.00
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Terminal disclaimer enclosed, add \$ 110.00		\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00)		\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed		
<input type="checkbox"/> Submission attached		

Subtotal	\$ 0.00
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If "small entity," then enter half (1/2) of subtotal and subtract		-\$ 0.00
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith		

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)		\$ 0.00
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Assignment Recording Fee (\$40.00)		\$ 0.00
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Other:		\$ 0.00
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TOTAL FEE ENCLOSED	\$ 0.00
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The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FERGUSON, Mark W.J.

Atty. Ref.: 39-257; Confirmation No. 2577

Appl. No. 10/082,221

TC/A.U. 1647

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For: PHARMACEUTICAL COMPOSITION CONTAINING IL-10

* * * * *

December 9, 2004

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Sir:

AMENDMENT UNDER RULE 116

This is in response to the Office Action dated June 3, 2004, in the above matter, a Notice of Appeal having been filed November 3, 2004. Kindly amend the above-identified application as follows.